

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**85TH LEGISLATIVE DAY**

**PERFUNCTORY SESSION**

**MONDAY, NOVEMBER 28, 2011**

**5:12 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
85th Legislative Day**

<b>Action</b>	<b>Page(s)</b>
Adjournment .....	11
Change of Sponsorship.....	11
Introduction and First Reading – HB 3888 .....	11
Legislative Measures Assigned to Committee .....	8, 9
Letters of Transmittal .....	6
Reports .....	5
Reports From Standing Committees .....	9
Resignations and Appointments .....	3
Temporary Committee Assignments .....	7

<b>Bill Number</b>	<b>Legislative Action</b>	<b>Page(s)</b>
HB 3813	Committee Report - Concur in SA .....	10
HR 0590	Committee Report .....	10
HR 0610	Committee Report .....	9
SB 0274	Committee Report.....	10
SB 0274	Second Reading .....	11
SB 0348	Committee Report.....	10
SB 0348	Second Reading .....	11
SB 0397	Committee Report.....	9
SB 0397	Second Reading .....	11
SB 0773	Committee Report.....	10
SB 0773	Second Reading .....	11
SB 1286	Committee Report – Floor Amendment/s .....	9
SB 1311	Committee Report.....	10
SB 1311	Second Reading .....	11
SB 1609	Committee Report – Floor Amendment/s .....	10
SB 2502	Committee Report.....	10
SB 2502	Second Reading .....	11

**NOTE:** Full text of Amendments will not be included in House Journals from the 97th GA forward; they can be viewed on the Illinois General Assembly website ([www.ilga.gov](http://www.ilga.gov)). For inquiries regarding this, please contact the House Clerk's office.

The House of Representatives met in Perfunctory Session pursuant to notice from the Speaker.

## RESIGNATIONS AND APPOINTMENTS

### CERTIFICATE OF ORGANIZATION

Democratic Representative Committee for the  
113th Representative District, State of Illinois

This is to certify that, in accordance with Section 8-5 of the Illinois Election Code, the Democratic Representative Committee of the 113th Representative District of the State of Illinois met on the 21st day of November, 2011, and organized by electing the following officers:

Matt Melucci  
CHAIRMAN

1166 N. Bluff Road, Collinsville, Illinois  
ADDRESS

Robert J. Sprague  
ADDRESS

2829 Titleist Drive, Belleville, Illinois  
ADDRESS

Signed: s/Matt Melucci  
CHAIRMAN

Attest: s/Robert J. Sprague  
SECRETARY

November 21, 2011

Hon. Jesse White  
Secretary of State  
State of Illinois  
111 E. Monroe Street  
Springfield, IL 62756

Via Fax: 217-524-0930

RE: Vacancy in the Representative in the General Assembly for the 113th Representative District

Dear Secretary White:

This letter is to inform you that, pursuant to Section 25-6 of the Election Code, that the Democratic Representative District Committee for the 113th Representative District has declared the existence of a vacancy in the office of Representative in the General Assembly for the 113th Representative District due to the resignation of Representative Thomas Holbrook.

s/Robert Sprague  
St. Clair County Democratic Chair

s/Matt Melucci  
Madison County Democratic Chair

November 21, 2011

Bryan A. Schneider  
Chairman  
Illinois State Board of Elections  
1020 S. Spring St.  
Springfield, IL 62704

Hon. Jesse White  
Secretary of State of Illinois  
213 State House  
Springfield, IL 62706

Hon. Timothy D. Mapes  
Clerk of the House  
Ill. House of Representatives  
420 State House  
Springfield, IL 62706

RE: 113th Representative District Vacancy in Office

Dear Sirs:

Please be advised that the Democratic Representative District Committee for the 113th Representative District met on November 21, 2011 to declare the existence of a vacancy in the office of Representative in the General Assembly for the 113th Representative District due to the resignation of Representative Thomas Holbrook.

You are hereby notified that the vacancy in office has been filled, in accordance with the Election Code, by the appointment of Scott E. Penny, who resides at 2949 North 63rd Street, Fairmont City, Illinois, 62201 in the 113th Representative District of the State of Illinois, and who is a member of the Democratic Party, to fill the vacancy in office of Representative in the General Assembly for the 113th Representative District of the State of Illinois for the remainder of the term.

s/Matt Melucci  
Committeeman, Chair

s/Robert J. Sprague  
Committeeman, Secretary

**CERTIFICATE OF APPOINTMENT TO FILL VACANCY IN THE  
OFFICE OF REPRESENTATIVE IN THE GENERAL ASSEMBLY**

**WHEREAS**, a vacancy currently exists in the office of Representative in the General Assembly from the 113th Representative District of the State of Illinois, by reason of the resignation of Representative Thomas Holbrook; and

**WHEREAS**, the Democratic Representative Committee of the 113th Representative District has declared the existence of a vacancy in said office and has voted to fill the vacancy in accordance with Section 25-6 of the Election Code; and

**WHEREAS**, at a meeting of the Democratic Representative Committee of the 113th Representative District on November 21, 2011, Scott E. Penny, who resides at 2949 North 63rd Street, Fairmont City, Illinois 62201 in the 113th Representative District of the State of Illinois, received the required number of votes for appointment to fill the vacancy in office, pursuant to Section 25-6 of the Election Code; therefore

**BE IT RESOLVED**, on this 21st day of November, 2011, that the Democratic Representative Committee of the 113th Representative District of the State of Illinois hereby appoints Scott E. Penny, who resides at 2949 North 63rd Street, Illinois 62201 in the 113th Representative District of the State of Illinois, who is eligible to serve as a member of the General Assembly, and who is a member of the Democratic Party, as the Representative in the General Assembly from 113th Representative District of the State of Illinois for the remainder of the term.

s/Robert Sprague  
Committeeman, Democratic Representative  
Committee for the 113th Representative District

s/Matt Melucci  
Committeeman, Democratic Representative  
Committee for the 113th Representative District

State of Illinois            )  
   )  
 County of St. Clair        )

Subscribed and Sworn to before me on this 21 day of November, 2011.

s/Melissa R. Wilson  
 Notary Public

### **OATH OF OFFICE**

State of Illinois            )  
   )  
 County of St. Clair        )

I, Scott E. Penny, do solemnly swear and affirm that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and I will faithfully discharge the duties of the office of Representative in the General Assembly for the 113th Representative District of the State of Illinois to the best of my ability.

Signed: s/Scott E. Penny

Date: 11-22-2011

Subscribed and Sworn to before me on this 22 day of November, 2011

s/John Baricevic  
 Judge or Notary Public

### **REPORTS**

The Clerk of the House acknowledges receipt of the following correspondence:

Personal Information Security Breach, submitted by Northern Illinois University on November 15, 2011.

2010 Annual Statistical Report, submitted by Illinois State Board of Education on November 15, 2011.

2011 Educator Supply and Demand Report, submitted by Illinois State Board of Education on November 15, 2011.

Illinois Workforce Development Annual Report, submitted by Department of Commerce and Economic Opportunity on November 16, 2011.

Disclosure of Confidential Protected Health Information, submitted by the Office of the State Fire Marshal on November 17, 2011.

Annual Report to the General Assembly (Public Act 96-0869), submitted by Illinois Department of Corrections on November 18, 2011.

Fiscal Year 2011 Procurement Activity Report, submitted by Metropolitan Pier and Exposition Authority on November 18, 2011.

Report #8 Pursuant to the Taxpayer Accountability and Budget Stabilization Act (P.A. 96-1496), submitted by Office of the Auditor General on November 22, 2011.

[November 28, 2011]

6

State of Illinois Budget Summary-Fiscal Year 2012, submitted by The Commission on Government Forecasting and Accountability on November 22, 2011.

Personal Information Security Breach, submitted by Illinois Department of Human Services on November 23, 2011.

Personal Information Security Breach, submitted by Illinois Department of Human Services on November 23, 2011.

2011 Rural Affairs Annual Report, submitted by Governor's Rural Affairs Council on November 26, 2011.

Division of Rehabilitation Services Home Services Program Spousal Caregiver Pilot Project (PA 96-0351), submitted by Department of Human Services on November 28, 2011.

### LETTERS OF TRANSMITTAL

November 22, 2011

Timothy D. Mapes  
Chief Clerk of the House  
300 State House  
Springfield, IL 62706

Dear Clerk Mapes:

Please be advised that I am extending the Final Deadline to November 30, 2011 for the following Senate Bills:

**Senate Bills: 1149, 1311 and 1608.**

With kindest personal regards, I remain.

Sincerely yours,

s/Michael J. Madigan  
Speaker of the House

November 28, 2011

Timothy D. Mapes  
Chief Clerk of the House  
300 State House  
Springfield, IL 62706

Dear Clerk Mapes:

Please be advised that I am extending the Final Deadline to November 30, 2011 for the following Senate Bills:

**Senate Bills: 274, 348, 773 and 2502.**

With kindest personal regards, I remain.

Sincerely yours,

s/Michael J. Madigan  
Speaker of the House

November 28, 2011

Tim Mapes  
Chief Clerk of the House  
300 State House  
Springfield, IL 62706

Dear Clerk Mapes:

Pursuant to House Rule 9(a), by this letter I am establishing that the House of Representatives will be in **Perfunctory Session on Monday, November 28, 2011.**

With kindest personal regards, I remain.

Sincerely yours,

s/Michael J. Madigan  
Speaker of the House

#### TEMPORARY COMMITTEE ASSIGNMENTS

Representative Kay replaced Representative Sullivan in the Committee on Revenue & Finance on November 18, 2011.

Representative Watson replaced Representative Gaffney in the Committee on Revenue & Finance on November 18, 2011.

Representative Hammond replaced Representative Cole in the Committee on Revenue & Finance on November 18, 2011.

Representative Durkin replaced Representative Leitch in the Committee on Rules on November 22, 2011.

Representative Lyons replaced Representative Lang in the Committee on Rules on November 22, 2011.

Representative Greg Harris replaced Representative Mautino in the Committee on Rules on November 22, 2011.

Representative Bradley replaced Representative Lang in the Committee on Rules on November 28, 2011.

Representative Williams replaced Representative Lang in the Committee on Rules (A) on November 28, 2011.

Representative Cole replaced Representative Leitch in the Committee on Rules (A) on November 28, 2011.

Representative William Davis replaced Representative Mell in the Committee on Human Services on November 28, 2011.

Representative Ford replaced Representative Howard in the Committee on Human Services on November 28, 2011.

Representative Watson replaced Representative Schmitz in the Committee on Human Services on November 28, 2011.

Representative Williams replaced Representative May in the Committee on Personnel and Pensions on November 28, 2011.

Representative Kelly Burke replaced Representative Daniel Burke in the Committee on Personnel and Pensions on November 28, 2011.

Representative Currie replaced Representative Acevedo in the Committee on Executive on November 28, 2011.

Representative Zalewski replaced Representative Daniel Burke in the Committee on Executive on November 28, 2011.

Representative Turner replaced Representative Lyons in the Committee on Executive on November 28, 2011.

#### **REPORTS FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 22, 2011, reported the same back with the following recommendations:

##### **LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Executive: SENATE BILLS 1149, 1311 and 1680 and HOUSE AMENDMENT No. 2 to SENATE BILL 1609.

Human Services: SENATE BILLS 274, 348, 773 and 2502.

Personnel and Pensions: Motion to concur with HOUSE AMENDMENTS numbered 1 and 2 to HOUSE BILL 3813.

Revenue & Finance: HOUSE RESOLUTION 610.

The committee roll call vote on the foregoing Legislative Measures is as follows:

4, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson  
Y Lyons(D) (replacing Lang)  
Y Harris, G.(D) (replacing Mautino)

A Schmitz(R), Republican Spokesperson  
Y Durkin(R) (replacing Leitch)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 28, 2011, reported the same back with the following recommendations:

##### **LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Executive: HOUSE AMENDMENT No. 1 to SENATE BILL 1311.

Revenue & Finance: HOUSE AMENDMENT No. 3 to SENATE BILL 397, HOUSE AMENDMENT No. 6 to SENATE BILL 1286 and HOUSE AMENDMENT No. 1 to SENATE BILL 1900.



The committee roll call vote on the foregoing Legislative Measures is as follows:  
3, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson  
Y Bradley(D) (replacing Lang)  
Y Mautino(D)

A Schmitz(R), Republican Spokesperson  
A Leitch(R)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 28, 2011, (A) reported the same back with the following recommendations:

#### **LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Executive: HOUSE AMENDMENT No. 2 to SENATE BILL 1311.

The committee roll call vote on the foregoing Legislative Measure is as follows:  
4, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson  
Y Williams(D) (replacing Lang)  
Y Mautino(D)

A Schmitz(R), Republican Spokesperson  
Y Cole(R) (replacing Leitch)

#### **REPORTS FROM STANDING COMMITTEES**

Representative Bradley, Chairperson, from the Committee on Revenue & Finance to which the following were referred, action taken on November 28, 2011, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 397.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 610.

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 6 to SENATE BILL 1286.

The committee roll call vote on Senate Bill 397 is as follows:  
6, Yeas; 0, Nays; 2, Answering Present.

Y Bradley(D), Chairperson  
A Harris, David(R), Republican Spokesperson  
Y Currie(D)  
Y Mautino(D)  
Y Zalewski(D)

Y Turner(D), Vice-Chairperson  
P Cole(R)  
Y Gaffney (R)  
P Sullivan (R)

The committee roll call vote on House Resolution 610 is as follows:  
5, Yeas; 2, Nays; 2, Answering Present.

Y Bradley(D), Chairperson  
P Harris, David(R), Republican Spokesperson  
Y Currie(D)  
Y Mautino(D)  
Y Zalewski(D)

Y Turner(D), Vice-Chairperson  
P Cole(R)  
N Gaffney(R)  
N Sullivan(R)

The committee roll call vote on Amendment No. 6 to Senate Bill 1286 is as follows:  
9, Yeas; 0, Nays; 0, Answering Present.

Y Bradley(D), Chairperson	Y Turner(D), Vice-Chairperson
Y Harris, David(R), Republican Spokesperson	Y Cole(R)
Y Currie(D)	Y Gaffney(R)
Y Mautino(D)	Y Sullivan(R)
Y Zalewski(D)	

Representative Daniel Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on November 28, 2011, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1311.

That the Floor Amendment be reported “recommends be adopted”:  
Amendment No. 2 to SENATE BILL 1609.

The committee roll call vote on Senate Bill 1311 and Amendment No. 2 to Senate Bill 1609 is as follows:

10, Yeas; 0, Nays; 0, Answering Present.

Y Zalewski(D), (replacing Burke, D.)	Y Turner(D) (replacing Lyons)
Y Brady(R), Republican Spokesperson	Y Currie(D) (replacing Acevedo)
Y Arroyo(D)	Y Berrios(D)
Y Bost(R)	Y Jackson(D)
Y Rita(D)	A Sullivan(R)
Y Tryon(R)	

Representative McCarthy, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on November 28, 2011, reported the same back with the following recommendations:

That the Motion be reported “recommends be adopted” and placed on the House Calendar:  
Motion to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 3813.

The committee roll call vote on Motion to Concur with Senate Amendments numbered 1 and 2 to House Bill 3813 is as follows:

9, Yeas; 0, Nays; 0, Answering Present.

Y McCarthy(D), Chairperson	Y Nekritz(D), Vice-Chairperson
Y Poe(R), Republican Spokesperson	Y Biss(D)
Y Burke, K.(D) (replacing Burke, D.)	Y Williams(D) (replacing May)
Y Morrison(R)	Y Senger(R)
Y Winters(R)	

Representative Greg Harris, Chairperson, from the Committee on Human Services to which the following were referred, action taken on November 28, 2011, reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 274, 348, 773 and 2502.

That the resolution be reported “recommends be adopted” and be placed on the House Calendar: HOUSE RESOLUTION 590.

The committee roll call vote on Senate Bills 274, 348, 773, 2502 and House Resolution 590 is as follows:

11, Yeas; 0, Nays; 0, Answering Present.

Y Harris, Greg(D), Chairperson  
Y Bellock(R), Republican Spokesperson  
Y Flowers(D)  
Y Jakobsson(D)  
Y Osmond(R)  
Y Smith(D)

Y Ford(D) (replacing Howard)  
Y Cole(R)  
Y Hammond(R)  
Y Davis, W.(D) (replacing Mell)  
Y Watson(R) (replacing Schmitz)

### **CHANGE OF SPONSORSHIP**

With the consent of the affected members, Representative Gordon was removed as principal sponsor, and Currie became the new principal sponsor of SENATE BILL 400.

With the consent of the affected members, Representative McAsey was removed as principal sponsor, and Representative Currie became the new principal sponsor of SENATE BILL 1311.

With the consent of the affected members, Representative Currie was removed as principal sponsor, and Representative Monique Davis became the new principal sponsor of SENATE BILL 1830.

With the consent of the affected members, Representative Monique Davis was removed as principal sponsor, and Representative Currie became the new principal sponsor of SENATE BILL 1830.

### **INTRODUCTION AND FIRST READING OF BILLS**

The following bill was introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 3888. Introduced by Representative Osmond, AN ACT concerning transportation.

### **SENATE BILLS ON SECOND READING**

Having been reproduced, the following bills were taken up, read by title a second time and held on the order of Second Reading: SENATE BILLS 274, 348, 397, 773, 1311 and 2502.

At the hour of 5:17 o'clock p.m., the House Perfunctory Session adjourned until Tuesday, November 29, 2011, at 11:00 o'clock a.m.